



DOUGLAS A. DUCEY
GOVERNOR

STATE OF ARIZONA
OFFICE OF THE GOVERNOR

EXECUTIVE OFFICE

April 17, 2018

The Honorable Michele Reagan
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

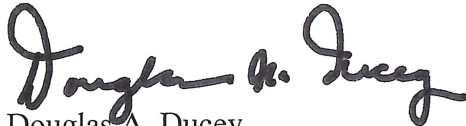
Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 2nd Regular Session, which I signed on April 17, 2018:

HB 2040 pharmacy board; definitions; reporting (Carter)
HB 2041 pharmacy board; licenses; permits (Carter)
HB 2065 public meetings; definition; penalties (Leach)
HB 2125 task force; towing safety (Shope)
HB 2126 government property; abatement; slum; blight (Leach)
HB 2249 protective orders; filing requirements (Farnsworth, E.)
HB 2250 physician assistants; prescribing authority; delegation (Carter)
HB 2257 radiation regulatory boards; repeal; DHS (Carter)
HB 2262 condominiums; termination; appraisals (Toma)
HB 2306 towing companies; insurance companies; owners (Campbell)
HB 2313 sentencing; monetary obligations; fine mitigation (Farnsworth, E.)
HB 2322 health insurers; provider credentialing (Carter)
HB 2327 federal officers; personal information; confidentiality (Farnsworth, E.)
HB 2334 liquor omnibus (Weninger)
HB 2411 health professionals; licensure; report (Mosley)
HB 2521 vehicle size, weight and load (John)
HB 2549 controlled substances; dosage limit (Carter)
HB 2550 contractor qualifications; work experience (Toma)
HB 2558 drug disposal; education (Cobb)
HB 2588 misrepresentation; service animals (Cook)

HB 2604 limited liability company act; revisions
SB 1065 commercial vehicles; ports of entry (Brophy McGee)
SB 1120 tax exemption; special events; nonprofits (Kavanagh)
SB 1152 education; appropriation; noncustodial federal monies (Allen, S.)
SB 1218 developmental homes; licensure; investigations (Brophy McGee)
SB 1264 gift cards; dormancy fee; prohibition (Yarbrough)
SB 1274 public monies; recovery; illegal payments (Petersen)
SB 1291 schools; pupil assessment data (Brophy McGee)
SB 1295 producer fees; insurance (Kavanagh)
SB 1400 aggravated DUI; sentence; county jail (Smith)
SB 1450 independent oversight committees; appointment; duties (Barto)

Sincerely,

A handwritten signature in black ink, reading "Douglas A. Ducey". The signature is fluid and cursive, with the first name "Douglas" being the most prominent.

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

House Engrossed Senate Bill

FILED

MICHELE REAGAN

SECRETARY OF STATE

State of Arizona
Senate
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 254
SENATE BILL 1291

AN ACT

AMENDING SECTIONS 15-741 AND 15-743, ARIZONA REVISED STATUTES; RELATING TO
ASSESSMENTS AND ACCOUNTABILITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-741, Arizona Revised Statutes, is amended to
3 read:

4 15-741. Assessment of pupils

5 A. The state board of education shall:

6 1. Adopt rules for purposes of this article pursuant to title 41,
7 chapter 6.

8 2. Adopt and implement a statewide assessment to measure pupil
9 achievement of the state ~~board adopted~~ BOARD-ADOPTED academic standards in
10 reading, writing and mathematics in at least four grades designated by the
11 STATE board. The STATE board shall determine the manner of
12 implementation. The STATE board may administer assessments of the
13 academic standards in social studies and science, except that a pupil
14 shall not be required to meet or exceed the social studies or science
15 standards measured by the statewide assessment.

16 3. Ensure that the tests prescribed in this section are uniform
17 throughout the state.

18 4. Ensure that the tests prescribed in this section are able to be
19 scored in an objective manner and ~~that the tests~~ are not intended to
20 advocate any sectarian, partisan or denominational viewpoint.

21 5. Ensure that the tests prescribed in this article collect only
22 types of pupil nontest data that are approved by the state board of
23 ~~education~~ at a public meeting and published on the website of the state
24 board of ~~education~~ pursuant to paragraph 7 of this subsection.

25 6. Include within its budget all costs pertaining to the tests
26 prescribed in this article. If sufficient monies are appropriated, the
27 state board may provide achievement test services to school districts that
28 request assistance in testing pupils in grades additional to those
29 required by this section.

30 7. Survey teachers, principals and superintendents on
31 achievement-related nontest indicators, including information on
32 graduation rates by ethnicity and dropout rates by ethnicity for each
33 grade level. Before the survey, the state board of ~~education~~ shall
34 approve at a public meeting the nontest indicators on which data will be
35 collected and shall post in a prominent position on the home page of the
36 state board's website a link to the nontest indicators entitled "What
37 nontest data does the state of Arizona collect about Arizona pupils?".
38 The linked web page shall state the types of data collected, the reasons
39 for the collection of the data and the entities with which the data is
40 shared. In conducting the survey and collecting data, the state board of
41 ~~education~~ shall not violate the provisions of the family educational
42 rights and privacy act (P.L. 93-380), as amended, ~~nor~~ OR disclose
43 personally identifiable information.

1 8. Establish a fair and consistent method and standard by which
2 test scores from schools in a district may be evaluated taking into
3 consideration demographic data. The STATE board shall establish
4 intervention strategies to assist schools with scores below the acceptable
5 standard. The STATE board shall annually review district and school
6 scores and shall offer assistance to school districts in analyzing data
7 and implementing intervention strategies. The STATE board shall use the
8 adopted test and methods of data evaluation for a period of at least ten
9 years.

10 9. Participate in other assessments that provide national
11 comparisons as needed.

12 10. Require in the contract for the statewide assessment pursuant
13 to this section that test scores and assessment data from the third grade
14 reading portion of the statewide assessment adopted pursuant to this
15 section be received by local education agencies on or before May 15 of
16 each academic year and THAT the scores and assessment data from all other
17 portions of the statewide assessment adopted pursuant to this section be
18 received by local education agencies on or before May 25 of each academic
19 year. The state board shall impose penalties on the contractor for scores
20 received after these dates.

21 B. The achievement tests adopted by the state board as provided in
22 subsection A of this section shall be given at least annually. Nontest
23 indicator data and other information shall be collected at the same time
24 as the collection of achievement test data.

25 C. Local school district governing boards shall:

26 1. Administer the tests prescribed in subsection A of this section.

27 2. Survey teachers, principals and superintendents on ~~achievement~~
28 ~~related~~ ACHIEVEMENT-RELATED nontest indicator data as required by the
29 state board, including information related to district graduation and
30 dropout rates. In conducting the survey and collecting data, the
31 governing board shall not violate the provisions of the family educational
32 rights and privacy act (P.L. 93-380), as amended, ~~nor~~ OR disclose
33 personally identifiable information.

34 D. Any additional assessments for high school pupils that are
35 adopted by the state board ~~of education~~ after November 24, 2009 shall be
36 designed to measure college and career readiness of pupils.

37 E. A test for penmanship shall not be required pursuant to this
38 article.

39 F. IF A LOCAL EDUCATION AGENCY REQUESTS A RAW DATA FILE OF
40 ASSESSMENT DATA FOR THE PUPILS TESTED AT THE LOCAL EDUCATION AGENCY, THE
41 DEPARTMENT OF EDUCATION SHALL FULFILL THE REQUEST IN A FORMAT THAT IS
42 USABLE FOR ASSESSMENT DIAGNOSTICS WITHIN THIRTY DAYS AFTER THE REQUEST.
43 THE LOCAL EDUCATION AGENCY SHALL FOLLOW ALL APPLICABLE STUDENT DATA
44 PRIVACY LAWS AND MAY NOT PUBLICLY DISCLOSE INDIVIDUAL STUDENT ACHIEVEMENT
45 RESULTS.

1 Sec. 2. Section 15-743, Arizona Revised Statutes, is amended to
2 read:

3 15-743. Test results; annual report; five-year cumulative
4 summary

5 A. The state board of education shall provide annual reports for
6 every school and SCHOOL district and the state as a whole. The state
7 board shall annually submit these reports to school districts, the
8 legislature and the county school superintendents and shall make them
9 available to the public. The state board shall publish and distribute the
10 reports by September 1 and shall also provide a cumulative summary of the
11 reports every five years. The annual reports and cumulative summary
12 results shall include:

13 1. Average and range scores on the statewide assessment adopted
14 pursuant to section 15-741.

15 2. Standardized test scores by subject area according to
16 percentiles and stanines for the school, school district, county, state
17 and nation.

18 3. Achievement-related nontest indicator data collected in the
19 survey of teachers, principals and superintendents as required by section
20 15-741, including information related to dropout rates by ethnicity for
21 each grade level and graduation rates and postsecondary employment and
22 education by ethnicity. In reporting such data, the state board of
23 ~~education~~ shall not violate the provisions of the family educational
24 rights and privacy act (P.L. 93-380), as amended, or disclose personally
25 identifiable information.

26 4. The numbers of pupils who have completed the academic standards
27 at grades three, eight and twelve.

28 B. Test results on individual pupils shall not be made available to
29 the public by name or individually identifiable reference.

30 C. The state board shall provide a copy of the results from the
31 tests prescribed in section 15-741, subsection A for each school district
32 to that school district. Results may not be released to the public until
33 ten days after the reports are provided to each school district.

34 D. The state board shall provide each school district participating
35 in the testing program with a copy of each pupil's standardized
36 norm-referenced test scores in reading, language arts and mathematics, and
37 the associated grade equivalents, percentiles and stanines for the school,
38 school district, county, state and nation, a report of pupil progress on
39 an ongoing and annual basis, showing the trends in gain or loss in pupil
40 achievement over time in reading, language arts and mathematics for all
41 years in which pupils are enrolled in the school district for an entire
42 school year and for which this information is available and a report of
43 the pupil progress for pupils not enrolled in a district for an entire
44 school year. The state board shall also provide each school district with

1 each pupil's statewide assessment scores and the statewide assessment
2 scores for the school, SCHOOL district, county and state.

3 E. The school district shall provide a parent or guardian of each
4 pupil participating in the standardized norm-referenced testing part of
5 the program with a copy of the pupil's scores in reading, language arts
6 and mathematics, and the percentiles and stanines. The school district
7 shall provide a parent or guardian of each pupil with a copy of the
8 pupil's scores on the statewide assessment and the associated scores for
9 the school, SCHOOL district, county and state. The school district shall
10 make available to the public through the reports those scores for each
11 school in the SCHOOL district and for the school district, county, state
12 and nation.

13 F. Any testing window established and executed by the department of
14 education or the state board of ~~education~~ for the administration of the
15 statewide assessment adopted pursuant to section 15-741 may not be longer
16 than four consecutive school weeks and shall ensure that local education
17 agencies receive test scores and assessment data from the third grade
18 reading portion of the statewide assessment on or before May 15 of each
19 academic year and THAT the scores and assessment data from all other
20 portions of the statewide assessment adopted pursuant to section 15-741
21 are received by local education agencies on or before May 25 of each
22 academic year. THE DEPARTMENT OF EDUCATION OR THE STATE BOARD MAY NOT
23 PROHIBIT THE SUPERINTENDENT OR THE STAFF OF A LOCAL EDUCATION AGENCY FROM
24 SHARING STATEWIDE ASSESSMENT DATA WITH THE LOCAL EDUCATION AGENCY'S
25 DISTRICT GOVERNING BOARD OR GOVERNING BODY OR OTHERWISE IMPEDE THE SHARING
26 OF STATEWIDE ASSESSMENT DATA.

27 G. Notwithstanding subsection F of this section and sections 15-741
28 and 15-742, the department of education, subject to review and approval by
29 the state board of ~~education~~, may adjust the testing window for the
30 statewide assessment adopted pursuant to section 15-741 in academic years
31 that the state board of ~~education~~ is revising current proficiency levels
32 or is establishing new proficiency levels for the statewide assessment
33 adopted pursuant to section 15-741.

APPROVED BY THE GOVERNOR APRIL 17, 2018

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 17, 2018

Passed the House April 9, 20 18,

Passed the Senate March 5, 20 18,

by the following vote: 56 Ayes,

by the following vote: 29 Ayes,

0 Nays, 4 Not Voting

0 Nays, 1 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

S.B. 1291

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 11, 20 18

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

Steve B. Garlinghouse
President of the Senate

Susan O'Connell
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

11th day of April, 20 18

at 11:23 o'clock A. M.

[Signature]
Secretary to the Governor

Approved this 17th day of

April 2018

at 10:21 o'clock A. M.

Douglas R. Ducey
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 17 day of April, 20 18

at 5:21 o'clock P. M.

Michelle Reagan
Secretary of State

S.B. 1291